

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

SARAH MILES *et. al.*,

Case No. 3:23-cv-01805-SB

Plaintiffs,

DISCOVERY ORDER

v.

CLACKAMAS COUNTY *et. al.*,

Defendants.

BECKERMAN, U.S. Magistrate Judge.

Plaintiffs Sarah Miles, appearing as personal representative of the Estate of Derrick Dewayne Clark, Jr. (“Clark”), on behalf of Clark’s minor child R.L.C. and minor sibling D.M.M., and in her individual capacity as Clark’s mother (together, “Plaintiffs”), moved to compel Defendant Clackamas County and the individual defendants employed by Clackamas County (together, the “County Defendants”) to provide additional information in response to Plaintiffs’ interrogatories six and ten, pursuant to the Court’s informal discovery dispute resolution procedures. The Court held a discovery hearing on April 16, 2025.

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For the reasons discussed on the record, the Court overrules in part and sustains in part the County Defendants' objections to Plaintiffs' interrogatories six and ten, and ORDERS the County Defendants to provide the information those interrogatories request with respect to:

- (1) Any complaints of excessive force, vehicle pursuit, or failure to render aid against Defendant Daniel Ferguson in the last ten years that resulted in an internal affairs investigation, regardless of whether the complaint was ultimately sustained;
- (2) Any complaints of excessive force, failure to render aid, or racial bias or discrimination in the last ten years against the "SWAT Defendants" (i.e., Nicholas Adler, Ryan Castro, Nathan Hulsey, Donald McCafferty, Jered Reynolds, Peter Robinson, Hayden Sanders, Michael Zacher, and Grant Zaitz), that resulted in an internal affairs investigation, regardless of whether the complaint was ultimately sustained; and
- (3) Any complaints of failure to render aid in the last ten years against the remaining County Defendants (i.e., Jason Bento, Matthew Brown, Shawn Choe, Aaron Clark, Jordan Ferguson, Sierra Hancock, David Heimbuck, Andy Kiesel, Kyle Malizia, Beth Mayer, Ryan Rogers, Adam Taylor, and Samuel Tooze), that resulted in an internal affairs investigation, regardless of whether the complaint was ultimately sustained.

IT IS SO ORDERED.

DATED this 16th day of April, 2025.



HON. STACIE F. BECKERMAN
United States Magistrate Judge